

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**ORANGE BEACON MARKETING, LLC,**     )  
   )  
          **Plaintiff,**                                     )  
   )  
**V.**   )  
   )  
**OUTSTANDING REAL ESTATE**                     )  
**SOLUTIONS, INC.; and FWE, LLC,**             )  
   )  
          **Defendants.**                                 )

**CIVIL ACTION NO. SA-22-CA-570-FB**

**ORDER ACCEPTING REPORT AND RECOMMENDATION**  
**OF UNITED STATES MAGISTRATE JUDGE**

Before the Court is the Report and Recommendation of United States Magistrate Judge (docket no. 21), filed on October 2, 2023. The report concerns Plaintiff's Motion for Default Final Judgment as to Damages. (Docket no. 20). The recommendation is that Plaintiff's motion be granted in part and a final default judgment be entered against Defendants. To date, no objections to the Report and Recommendation have been received.<sup>1</sup>

Because no party has objected to the Magistrate Judge's Report and Recommendation, the Court need not conduct a de novo review. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). The Court has reviewed the Report and Recommendation and finds its reasoning to be neither clearly erroneous nor contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989).

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<sup>1</sup> Any party who desires to object to a Magistrate's findings and recommendations must serve and file his, her or its written objections within fourteen days after being served with a copy of the findings and recommendation. 28 U.S.C. § 635(b)(1). If service upon a party is made by mailing a copy to the party's last known address, "service is complete upon mailing." FED. R. CIV. P. 5(b)(2)(C). If service is by electronic means, "service is complete upon transmission." *Id.* at (E).

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge (docket no. 21) is ACCEPTED pursuant to 28 U.S.C. § 636(b)(1) such that Plaintiff's Motion for Default Judgment as to Damages (docket no. 20) is GRANTED in PART. Plaintiff is entitled to a final default judgment comprised of \$300,000 in principal, \$200,000 in flat interest, and \$349,000 in default interest through May 31, 2023, for a total judgment of \$849,000. In all other respects, the motion is DENIED without prejudice to Plaintiff filing a Bill of Costs and Motion for Attorneys' Fees in accordance with Local Rule 54.

IT IS FINALLY ORDERED that remaining motions pending with the Court, if any, are Dismissed as Moot and this case is CLOSED.

It is so ORDERED.

SIGNED this 23rd day of October, 2023.

  
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FRED BIERY  
UNITED STATES DISTRICT JUDGE